

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of	:	Customer Number: 46320
	:	
Radhika AGGARWAL, et al.	:	Confirmation Number: 2419
	:	
Application No.: 10/041,141	:	Group Art Unit: 2178
	:	
Filed: January 3, 2002	:	Examiner: T. Huynh
	:	
For: INLINE ERROR HIGHLIGHTING	:	

REPLY BRIEF

Mail Stop Appeal Brief - Patents
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Reply Brief is submitted under 37 C.F.R. § 41.41 in response to the Examiner's Answer dated November 28, 2006.

The Examiner's response to Appellants' arguments submitted in the Appeal Brief of September 11, 2006, raises additional issues and underscores the factual and legal shortcomings in the Examiner's rejections. In response, Appellants rely upon the arguments presented in the Appeal Brief of September 11, 2006, and the arguments set forth below.

On pages 5-8 of the Appeal Brief, Appellants presented arguments as to why the '901 provisional application fails to either explicitly or inherently teach the claimed "selecting error text corresponding to said validation error and inserting said selected error text in said row." The

Examiner responded to these arguments on page 10 of the Examiner's Answer, in which the Examiner asserted the following:

This indicates the error message is not only selected/retrieved corresponding of the validation but also selected based on locale (language and location related/specific). The fact that Upton's error messages are displayed next to the erroneous fields inherently and clearly implies these fields failed to pass their specific validation logics and were identified so as the error messages can be displayed right next to them. One can therefore clearly conclude that Upton teaches text of the error message is selected so as to correspond to the validation error and inserted next to the erroneous field. (emphasis in original)

Appellants recognize that Upton teaches (i) the display of error text is based upon a validation error (i.e., if an error occurs, then display text) and (ii) the selection of error text based upon language and/or location. However, Upton does not teach or suggest the selection of an error text corresponding to the validation error, as claimed. The Examiner's assertion that Upton teaches the claimed limitation is not based upon the actual teachings of Upton. Instead, the Examiner has improperly morphed the two separate teachings of Upton described above by selecting the "selection of error text" from teaching (ii) and combining this with the "based upon a validation error" from teaching (i) to arrive at an alleged teaching. The Examiner, however, has failed to set forth any factual evidence in support of a realistic motivation for one having ordinary to perform this modification.

On page 10 of the Examiner's Answer, the Examiner further asserted the following:

Moreover, it is noted that the claimed language "selecting error text corresponding to said validation error ..." does not verify that there are many different error text messages and how they correspond to validation errors. Therefore, even if the error text message was always "Error" (as read by Appellant), such text message by Upton's would still be selected/retrieved corresponding to the validation of the field (the '901, page 8-3, steps 2 and 3, for example age field has invalid value) in the form in order to display such text message next to erroneous field (age field has invalid value) on the form.

By asserting that "even if the error text message was always 'Error' ... such text message by Upton's would still be selected/retrieved corresponding to the validation of the field," the

Examiner has misinterpreted the claim language as to both the term "selecting" and the phrase "corresponding to said validation error."

Although the claim recites "selecting error text corresponding to said validation error," the Examiner's interpretation is based upon "corresponding to the validation of the field." The "validation of the field" is not identical to the "validation error." The "validation of the field" is whether the field is valid or not (i.e., yes or no). In contrast, the "validation error" is the specific type of error (e.g., too many characters, improper characters, numbers too high, numbers too low, etc.). Thus, the Examiner is improperly trying to compare apples with oranges to advance the Examiner's argument.

Moreover, with regard to the term "selecting," Appellant note that "selecting" does not occur when only one choice is possible (i.e., if the error text message is always "Error"). A selection implies that a choice is possible. For example, consider the analogy of a room that only has one door. One could choose (or select) to leave the room or not. However, even if one selects to leave the room, one does not have a choice (or selection) as to what door to use. The Examiner asserted that "the error message is not only selected/retrieved corresponding of the validation" (see lines 10-11 on page 10 of the Examiner's Answer), and this assertion by the Examiner would be comparable to asserting, in the context of the analogy, that one selected the door through which to leave by exiting the room. However, as already argued above, by leaving the room one does not select the door through which to leave. Comparably, by displaying an error message, one does not necessarily (i.e., inherently) select the message to display.

For the reasons set forth in the Appeal Brief of September 11, 2006, and for those set forth herein, Appellants respectfully solicit the Honorable Board to reverse the Examiner's rejections under 35 U.S.C. § 103.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 09-0461, and please credit any excess fees to such deposit account.

Date: December 28, 2006

Respectfully submitted,

/Scott D. Paul/
Scott D. Paul
Registration No. 42,984
Steven M. Greenberg
Registration No. 44,725
CUSTOMER NUMBER 46320